

## MINUTES

### ELEVATOR INSTALLATION, REPAIR AND MAINTENANCE WORK EXAMINING BOARD

MARCH 11, 2015

The meeting was called to order by Acting Chairperson John DeRosa, Jr. at 9:00 a.m. in Room 117 at the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: John R. DeRosa, Jr., Journeyperson, Acting Chairperson  
Joseph Bayusik, Contractor  
Michael D. Griffin, Journeyperson  
Paul Farnsworth, Contractor  
Thomas J. O'Reilly, Contractor

Members Absent: None

Board Vacancies: Three Public Members

DCP Board Staff: Richard M. Hurlburt, Director  
Karen Layman, Secretary  
Robert Kuzmich, License and application specialist

Others Present: Daniel Narciso Karen Wackerman Michael Elia  
Steve Blevins John MacDonald Asrar Ahmed  
Anthony Pezziwienti  
Richard E. Maloney, Trade Practices Division

The Elevator Installation, Repair and Maintenance Board shall consist of eight members who shall be residents of this state, three of whom shall be unlimited contractors, two of whom shall be elevator craftsmen, licensed for such occupation under this chapter, and three of whom shall be public members, provided at least one of the unlimited contractors shall be a member of either the National Association of Elevator Contractors or the National Elevator Industries, Incorporated.

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 706-1255. Agency Website: [www.ct.gov/dcp](http://www.ct.gov/dcp)  
Division E-Mail: [dcp.occupationalprofessional@ct.gov](mailto:dcp.occupationalprofessional@ct.gov)

## **DCP TRADE PRACTICES DIVISION COMPLAINT STATUS REPORT:**

The Board voted unanimously to modify the agenda to accommodate Trade Practices Director Richard Maloney at this time. Richard Maloney spoke with the Board regarding Case No. 2014-346, as well as the complaints included in the current report submitted for today's meeting. Richard Maloney also provided a brief update on current DCP Trade Practices procedures and progress made on complaints by this the Trade Practices Division.

## **MINUTES FROM PREVIOUS MEETINGS:**

The Board voted to accept the minutes of the February 3, 2015 Elevator Installation, Repair, and Maintenance Work Examining Board meeting as written. Board Member Thomas O'Reilly abstained.

## **COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:**

None

## **APPLICATIONS:**

### **Redmond Burns, Cooper City, FL – (R-2) Unlimited Journeyman – Denied**

The Board voted unanimously to deny Mr. Burns' (R-2) Unlimited Journeyman application due to lack of proof of on the job training as required.

## **APPEARING IN PERSON FOR APPEAL:**

**NOTE:** Pertaining to the following agenda items, the Board noted that the agenda was drafted using the word "appeal." The Board further stated that the word "appeal" will be interpreted today by the Board as a request to reconsider.

### **1. Daniel Narciso, Trumbull, CT – (R-1) Unlimited Contractor – Approved**

Mr. Narciso appeared before the Board for reconsideration of his (R-1) application, which was denied on 2/3/15 due to lack of an (R-2) Unlimited Journeyman license for the required two-year period or equivalent experience and training acceptable to the Board.

Mr. Narciso submitted additional documentation for the Board's review and a discussion took place. Board Member Thomas O'Reilly made a motion to approve, Joseph Bayusik seconded, Paul Farnsworth approved, Michael Griffin approved, and John DeRosa abstained. Therefore, the Daniel Narciso's (R-1) Unlimited Contractor application was approved.

## **2. Gerson Canhao, Danbury, CT – (R-2) Unlimited Contractor – Denied**

Mr. Canhao's (R-1) application was denied on 2/3/15 due to lack of an (R-2) Unlimited Journeyman license for the required two-year period or equivalent experience and training acceptable to the Board.

Mr. Canhao amended his application to reflect that he is now seeking an (R-2) Unlimited Journeyman license and submitted additional documentation for the Board's review and a discussion took place. Board Member Joseph Bayusik made a motion to deny due to lack of proof of on the job training, Thomas O'Reilly seconded, Paul Farnsworth denied, Michael Griffin denied, and John DeRosa denied. Therefore, Gerson Canhao's (R-2) Unlimited Journeyman application was denied.

## **3. Michael Elia, Staten Island, NY – (R-2) Unlimited Contractor - Denied**

Mr. Elia appeared before the Board for reconsideration of his (R-1) application, which was denied on 2/3/15 due to lack of an (R-2) Unlimited Journeyman license for the required two-year period or equivalent experience and training acceptable to the Board.

Mr. Elia amended his application to reflect that he is now seeking an (R-2) Unlimited Journeyman license and submitted additional documentation for the Board's review and a discussion took place. Board Member Thomas O'Reilly made a motion to deny due to lack of proof of on the job training, Joseph Bayusik seconded, Paul Farnsworth denied, Michael Griffin denied, and John DeRosa denied. Therefore, Michael Elia's (R-2) Unlimited Journeyman application was denied.

### **OLD BUSINESS:**

1. Subcommittee for review of R-7/R-8 license types

**No new discussion took place**

2. Continued discussion regarding procedural outline for contested hearings

The Board has requested that DCP Legal Division provide a basic procedural outline for contested hearings.

**No new discussion took place**

### **NEW BUSINESS:**

1. Review of PSI exam results

**Board so noted**

2. State of Connecticut Statute pertaining to complaint reports; for the Board's information

- Connecticut Statute, Section 21a-8 - Department's and commissioner's powers and duties re: boards and commissions

**Board so noted**

3. State of Connecticut Regulations; for the Board's information
  - Connecticut Regulation, Section 20-332-1 - Definition of "Contractor"
  - Connecticut Regulation, Section 20-332-17 - Failure to offer services after submitting letter of intent. Surrender of contractor's license. Reinstatement

**Board so noted**

4. Letter dated May 18, 2010 from DCP Trade Practices Division Director Richard Maloney to John DeRosa; for the Board's information

**Board so noted**

5. Important court case for members of agency boards and commissions; for the Board's information

**The Board requested that a legal representative from the Attorney General's Office attend the next board meeting to provide legal advice regarding this recent court ruling.**

6. Raised Bill No. 6808 – An Act Concerning The Enforcement of Certain Occupational Licensing Statutes; for the Board's information

**Board so noted**

#### **CORRESPONDENCE:**

1. Letter dated February 27, 2015 from applicant Jude Downey stating intent to offer services to the public within 60 days

**Board so noted**

#### **COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:**

None

There being no further business, the meeting adjourned at 11:32 a.m.

Respectfully submitted,

Karen Layman,  
Board Secretary

**2015 Meeting Schedule:**

- April 7, 2015
- May 5, 2015
- June 2, 2015
- July 7, 2015
- August 4, 2015
- September 1, 2015
- October 6, 2015
- November 3, 2015
- December 1, 2015
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**Meetings will be held at 9 a.m. in Room 117**